

FY 2018 ANNUAL REPORT

A

Alabama's

toll-free number for
information on the

D

Americans with
Disabilities Act

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1.800.205.9986

text messaging: 334.328.6571

email: graham.sisson@rehab.alabama.gov

www.rehab.alabama.gov/ada

Alabama's Toll-Free ADA

From the Commissioner

Dear Legislators,

Dear Legislators,

During fiscal year 2018, the Alabama Department of Rehabilitation Services (ADRS) eagerly supplied the public with up-to-date information on the Americans with Disabilities Act through the ADA Information Line.

Our department continually works with businesses and other community partners to significantly improve the lives of Alabamians with disabilities of all ages.

We sincerely appreciate you for your continual support of our department and its mission to enable Alabama's children and adults with disabilities to achieve their maximum potential.



Jane Elizabeth Burdesbaw, Commissioner
Alabama Department of Rehabilitation Services

From the Coordinator

Dear Legislators,

I am excited to have had the opportunity to serve another year as Alabama's toll-free ADA Information Line coordinator.

The information line is helpful to many different people and entities – from state and local governments to private businesses and individual citizens – by easily providing a dependable library of information.

With continued clarification of the ADA in the courts and the interpretation of this legislation, the information and technical assistance provided is especially beneficial to the public. The need for accurate ADA information expands as covered entities face increased potential for ADA liability.

On behalf of those who use the toll-free ADA Information Line, I wish to again express my sincere gratitude to you and Gov. Kay Ivey for your steadfast support of this invaluable public service.



Graham L. Sisson, Jr.
Assistant Attorney General
Alabama's Toll-free ADA Line



History of the Americans with Disabilities Act and New Developments

In July 2015, the Americans with Disabilities Act (ADA) – which was signed into law in 1990 – celebrated its 25th anniversary. In the years since its passage, the ADA has positively impacted physical accessibility of buildings for many individuals with disabilities. There has been greater ADA enforcement by the federal government and private individuals bringing lawsuits in federal court. Many businesses in Alabama have been sued under Title III. In 2014, there were 124 lawsuits filed for violations to these regulations.

During FY 2018 there was an increase in the usage of service and emotional support animals. Airlines saw an increase in the number of passengers traveling with emotional support animals. Due to this increase, some airlines, including Delta, began to impose stricter requirements for such animals. There is also an issue on whether emotional support animals can be allowed as a reasonable accommodation in work areas and public spaces not covered by the Air Carriers Access Act or the Fair Housing Act.

There continues to be a lack of clarity on whether websites are covered by Title III of the ADA. The U.S. Department of Justice sent a letter to Congress confirming its belief that websites are covered, but it has not issued any regulations on website accessibility.

Background of the Alabama ADA Information Line Act

In 1998, the Legislature passed Act No. 98-255, which created a service in the Alabama Department of Rehabilitation Services to provide information on rights and responsibilities under the Americans With Disabilities Act. The service was initially funded Oct. 1, 1998, and was activated through the use of a toll-free telephone line. By January 1999, a toll-free TTY number was added to make this service accessible to persons with hearing or speech impairments.

Calls received on either line after regular office hours are recorded by a voicemail system.

The act established the duties of this service, which include providing public information/education, referral, training, data collection, and analysis. A database was compiled to collect and analyze information made available through each call. Collected information includes each caller's name, address, phone number (when provided), date of call, date of response, referral (if necessary), description of inquiry or information request, type of information disseminated, and a description of the response to each call.

At the beginning of each call, it is expressly stated that any information provided is nonbinding and that there is no attorney-client relationship established. Confidentiality is maintained at all times unless expressly waived by the caller.

Information Line Annual Report

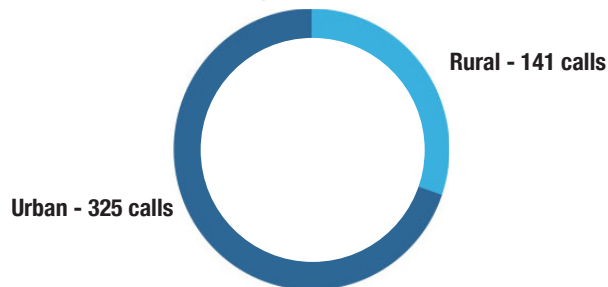
Details of Calls

The ADA Information Line received 466 calls in FY 2018. More than seven of every 10 calls placed to the information line came from urban areas, with the others originating from rural areas. SMART budget numbers were also met.

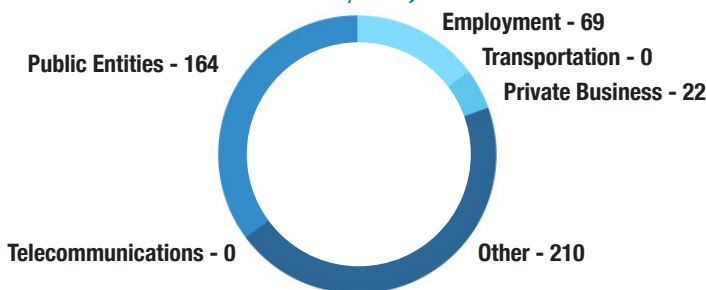
Calls received continued to be from consumers with disabilities inquiring about employment issues such as reasonable accommodations, job promotions, hiring, and termination. Specifically, many callers just needed basic ADA information such as the actual text of the law, website locations, and applicability of the ADA. Some inquired about physical accessibility issues involving building entrances, bathrooms, height of countertops, parking spaces, and door closure pressure. As the ADA evolves, questions continue to involve greater complexity, like website accessibility.

Responses included information about the new ADA Accessibility Guidelines and applicable sections of the law and its regulations as well as referral to relevant provisions of other laws such as the Rehabilitation Act, Air Carriers Access Act, and the Fair Housing Act. Further sources of assistance were provided, including the Alabama Department of Rehabilitation Services, the Alabama Disability Advocacy Program, independent living centers, the Alabama Parent Education Center, the Governor's Office on Disability, the U.S. Department of Justice, the Office of Fair Housing and Equal Opportunity, the Office of Civil Rights, and other federal entities.

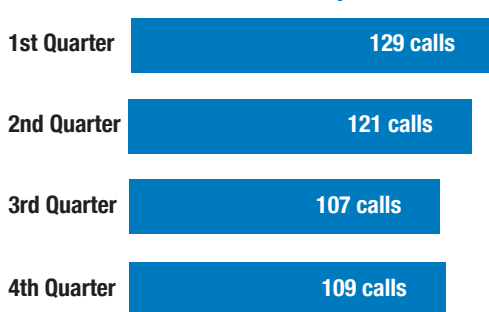
Origin of Calls



Calls by Subject



Calls Received per Quarter



Total Calls: 466

Public Awareness and Outreach

The ADA information 1-800 number continues to be an accurate, one-stop ADA information source.

*Written materials provided to callers**

- Service Animal requirements and policies
- DOJ Service Animal Brief
- Service Animal Booklet
- ADA TA Service Animal Booklet
- Title II regulations on Service Animals
- ADA and AT Power Point
- ADA Fact Sheet on Parking
- Section 502 of the 2010 Accessible Design Guidelines
- Alabama Arise Landlord/Tenant Handbook
- Questions and Answers on Section 504 and Personal Assistant Services
- Fire Evacuation and Elevators
- Access Board Guidance on Stairways
- Access Board Guidance on Ramp Handrails
- Van Accessible Parking Standards from 2010 Accessible Design Standards
- Title II Comprehensive Overview Power Point
- Federal Outdoor Recreation Surface Standards
- Accessible Parking Standards under 2010 Accessible Design Standards
- State of ADA Power Point
- ADA and Reasonable Accommodation Power Point
- ADA and Disability Awareness Power Point
- ADA Action List Items
- EEOC Guidance on Reasonable Accommodation and Undue Hardship
- ADA and FHA Power Point
- ADA Tax Credits and Deductions
- Feist v. Louisiana (employee accessible parking)
- ADRS ADA Accommodation Worksheet
- Alabama Law on Service Animals
- Access Board Guidance on Beach Access Route Requirements
- Title I Technical Assistance Manual
- Employee Rights Under ADA Booklet
- Joint HUD/DOJ Guidance on Reasonable Accommodation
- Special Education, A Right, Not a Favor Booklet
- Original Title II Regulations
- New Title II Regulations
- ADA and Rehabilitation Act Comparison Sheet
- 2015 Questions and Answers on Service Animals
- 2010 Accessible Design Standards Excerpts on Exceptions
- HUD Guidance on Assistance Animals
- DOJ/HUD Statement on the Fair Housing Act (FHA)

* Many callers were referred to online information.

ADA Training and Technical Assistance

In response to requests generated through the ADA Information Line, the following presentations and/or consultations on accessibility were provided on behalf of a number of diverse agencies and organizations:

FY 2018 ADA trainings

ADA and AT, ASU OT and PT class, Montgomery, (10-4-17)
ADA and Reasonable Accommodations,
DHR EEO Staff, Montgomery (10-17-17)
ADA and Emergency Preparation,
People First Meeting, Vestavia Hills (10-20-17)
ADA and Reasonable Accommodations,
Business Class, UAB, Birmingham (10-25-17)
Title II Comprehensive Overview,
Department of Corrections, Montgomery (1-29-18)
Reasonable Accommodation Overview and Process,
CRS Retreat, Gulf Shores (2-1-18)
ADA and Disability Awareness,
Meadowview Elementary School, Alabaster (2-5-18)
ADA and Reasonable Accommodation,
Workforce Conference Panel, Montgomery (2-15-18)
State of State on ADA, Disability Conference, Montgomery (3-6-18)
ADA and Reasonable Accommodation, Troy University, Montgomery (3-14-18)
ADA and Advocacy, NFB Conference (via facetime) (3-17-18)
ADA Overview and Disability Awareness,
Ashkiran Conference, Huntsville (3-19-18)
ADA Overview, Auburn Class, Auburn (3-22-18)
ADA and Fair Housing Act,
North Alabama Fair Housing Center Conference, Birmingham (4-5-18)
ADA and Disclosure of Disability, Jacksonville State University (4-12-18)
ADA Overview, UNA Student Panel, Florence (4-19-18)
ADA Overview and Disability Awareness, Administrative Support Day
Alabama Legislature, Montgomery (5-3-18)
ADA Overview and Disability Awareness, Jefferson County Personnel
Board, Birmingham (5-9-18)
ADA Overview and Disability Awareness,
UNA Class, Camp ASCCA, Jackson's Gap (5-22-18)
ADA and Childcare, Child Care Resources, Inc., Homewood (7-11-18)

ADA consultations and accessibility reviews

Accessibility Review, Reid State Community
College MNS, Evergreen (11-7-17)
Follow up Accessibility Review, Birmingham Career Center (12-13-18)
ADA Accessibility Consultation, City of Gulf Shores (2-2-18)
Dothan Career Center Certification (2-21-18)
Anniston Career Center Certification (2-28-18)
Huntsville Career Center Certification (3-12-18)
Accessibility Survey, Montevallo University (5-10-18)
Follow up Accessibility Survey, Montevallo University (6-11-18)
Consultation on Reasonable Accommodation, Troy University (8-22-18)



Alabama Department of
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This material is available in alternate format upon request.